

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

PAMELA WILLIS TURNER

Plaintiff,

Honorable: Julian Abele Cook, Jr.

v.

Case No.: 2:11-cv-12961

CITY OF DETROIT

Defendant.

Alice B. Jennings (P29064)
EDWARDS & JENNINGS, PC
Attorneys for Plaintiff
65 Cadillac Square, Suite 2710
Detroit, Michigan 48226
(313) 961-5000
ajennings@edwardsjennings.com

June C. Adams (P43283)
Valerie A. Colbert-Osamuede (P42506)
City of Detroit Law Department
Attorneys for Defendant
660 Woodward, Suite 1650
Detroit, Michigan 48226
(313) 237-0540

Felicia Duncan Brock (P63352)
I.A.B. ATTORNEYS AT LAW, PLLC
Attorneys for Plaintiff
3319 Greenfield Road, #458
Dearborn, Michigan 48120
(313) 318-3180
Duncan@iabattorneys.com

PLAINTIFFS FIRST MOTION TO COMPEL DISCOVERY

NOW COMES Plaintiff Pamela Turner, by and through her attorneys, EDWARDS & JENNINGS, PC and I.A.B. ATTORNEYS AT LAW, PLLC, and for her Motion to Compel Discovery pursuant to FRCP 37, states:

1. On July 8, 2011, Plaintiff Pamela Turner filed this action for sex discrimination in violation of the Equal Pay Act and the Elliott Larsen Civil Rights Act.
2. On September 1, 2011, Defendant City of Detroit answered Plaintiff's Complaint.

3. On October 22, 2011, Plaintiff served Defendant with Plaintiff's First Set of Interrogatories and Request for Production of Documents to Defendant.

4. Pursuant to FRCP 34, Defendant's responses were due on November 20, 2011.

5. On December 9, 2011, Plaintiff informed Defendant that its responses were late; and inquired as to when responses would be provided. (See December 9, 2011 Correspondence attached as Exhibit A)

6. On March 7, 2012, Defendant served Plaintiff with its Answer to Plaintiff's First Discovery Requests.

7. On March 15, 2012, Defendant served Plaintiff with its Supplemental Answer to Plaintiff's First Discovery Requests.

8. On April 3, 2012 (the day before Plaintiff's scheduled deposition), Defendant served, via facsimile, 7 of the requested emails.

9. Up until today's date, Defendant has yet to produce the personnel records, including any employment contract, for Victor Mercado, Anthony Adams, and Susan McCormick; any and all emails and/or other documents that "in any other way discuss Plaintiff and her position of Interim Director and Director of the Water Department"; any and all documents Defendant intend to use in defense of Plaintiff's claims; Detroit City Council meeting minutes that discuss Plaintiff, the Interim Director and Director position; and all written communication with Heidrick & Struggles.

10. For this reason, Plaintiff has been forced to take multiple depositions without the benefit of reviewing relevant documents.

11. Because Defendant appeared to be making an effort to gather and produce all requested documents, Plaintiff courteously refrained from seeking this Court's intervention.

12. In fact, Defendant promised, in its supplemental answers, that it would provide Plaintiff with all requested emails and other documents no later than March 15, 2012.

13. Unfortunately, the format of the documents on the disk was not accessible outside of Defendant's computer system.

14. For this reason, Defendant failed to provide Plaintiff with the aforementioned disk.

15. Defendant, however, has also failed to print the documents in its office and produce them to Plaintiff as a reasonable alternative to providing the disk.

16. As this Court requires, on March 28, 2012, Plaintiff scheduled and held a meeting with Defendant to discuss the deficiencies in its discovery responses.

17. Plaintiff now has no alternative but to seek this Court's intervention.

WHEREFORE, Plaintiff requests this Court to enter an Order Compelling Defendant's Complete Answer to Plaintiff's First Set of Interrogatories and Request for Production of Documents to Defendant.

Respectfully submitted,

I.A.B. Attorneys At Law, PLLC

By: /s/ Felicia Duncan Brock

Felicia Duncan Brock

Attorneys for Plaintiff

25447 Plymouth Rd.

Redford, Michigan 48239

(313) 318-3180

Duncan@iabattorneys.com

CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2012, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: June Adams, Esquire, and Alice B. Jennings, Esquire; and I hereby certify that I have mailed by United States Postal Service the document to the following non ECF participants: n/a.

Respectfully,

I.A.B. Attorneys At Law, PLLC

By: /s/ Felicia Duncan Brock
Attorneys for Plaintiff
25447 Plymouth Rd.
Redford, Michigan 48239
(313) 318-3180

Dated: April 6, 2012